

**CHILD CARE LICENSING SYSTEMS IMPROVEMENT TEAM**  
**2009 RECOMMENDATIONS**  
**TO THE SECRETARY OF THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT**  
**HIGHLIGHT OF MAJOR ACCOMPLISHMENTS**

**TO INCREASE CHILD SAFETY AND CONSUMER PROTECTION**

<b>Key Tasks</b>	<b>Action</b>	<b>Completion Date</b>
The legislature should revise the child care statutes to eliminate the category of registered family day care home and require licensure and inspection of these homes by the Department.	Lexie's Law enacted (Senate Substitute for HB 2356)	7/01/2010
The Department should revise the regulations to strengthen supervision requirements for young children attending child care.	New and amended regulations for the supervision of children in licensed and group day care homes take effect (K.A.R. 28-4-115a)	02/03/2012

**TO INCREASE CHILD SAFETY AND QUALITY OF CARE**

<b>Key Tasks</b>	<b>Action</b>	<b>Completion Date</b>
All care givers should possess core knowledge of child development, health, safety and child care practices sufficient to meet the needs of children in care.	New and amended regulations for initial and on-going professional development for staff in licensed and group day care homes and child care centers and preschools (K.A.R. 28-4-114a & K.A.R. 28-4-428a)	02/03/2012
Early Childhood stakeholders, state and community partners, education and training organizations should provide incentives to enable child care providers to access professional development opportunities.	Professional Development Days  Early Days of Learning  (Full day professional development events with sessions including First Aid, CPR, Safe Sleep, Child Development, Child Abuse and Neglect, etc.)	05/2010-09/2011  05/2013-09/2013
The Department should consider adopting pre-service requirements for center based staff and home based caregivers and consider increasing in-service training requirements.	New and amended regulations for initial and on-going professional	02/03/2012

	development for staff in licensed and group day care homes and child care centers and preschools (K.A.R. 28-4-114a & K.A.R. 28-4-428a)	
The Department should consider requiring orientation training, training on SIDS prevention and safe sleep practices, certification in first aid and pediatric CPR/rescue breathing and training that would assist in preparing providers for accreditation, a CDA credential, KQRS rating or other professional recognition.	New and amended regulations for initial and on-going professional development for staff in licensed and group day care homes and child care centers and preschools (K.A.R. 28-4-114a & K.A.R. 28-4-428a)	02/03/2012

#### **TO INCREASE FLEXIBILITY, CHILD SAFETY AND THE AVAILABILITY OF CARE FOR INFANTS, TODDLERS AND PRESCHOOL AGE CHILDREN**

<b>Key Tasks</b>	<b>Action</b>	<b>Completion Date</b>
The Department should revise the definition of a school age child in home based care to reflect that the child is counted in the school age category on his/her 5th birthday.	New and amended regulations include this change in the licensed and group day care home capacity table (K.A.R. 28-4-114)	02/03/2012
The Department should revise the regulations to incorporate the exceptions granted in March 2008 concerning an overlap of preschool age children, health assessments, safe storage of disinfectant and other items and crib and playpen use.	New and amended regulations (K.A.R. 28-4-114, K.A.R. 28-4-115, K.A.R. 28-4-116a and K.A.R. 28-4-440) for licensed and group day care homes and child care center infant/toddler units	02/03/2012

#### **TO INCREASE THE AVAILABILITY OF SCHOOL AGE CHILD CARE**

<b>Key Tasks</b>	<b>Action</b>	<b>Completion Date</b>
The Department should continue the child care home exceptions granted in March 2008 concerning number of children who may be present and incorporate the exceptions into the rewriting of the regulations.	New and amended regulations for licensed and group day care homes incorporate the exceptions (K.A.R. 28-4-114)	02/03/2012

**TO ENABLE CHILD CARE PROGRAMS TO MAKE A SMOOTH TRANSITION FROM THE CURRENT REGULATORY REQUIREMENTS AND CHILD CARE LICENSING SYSTEM TO THE NEW REQUIREMENTS**

<b>Key Tasks</b>	<b>Action</b>	<b>Completion Date</b>
The Department should implement gradual changes to the regulations and the licensing process. Requirements should be phased in so that providers and others in the child care system have time to adjust and make changes in their programs and services.	Lexie's law, including transition of registered homes to licensed, new & amended regulations & online compliance history fully implemented over a two year period; training and technical assistance provided on the new and amended regulations	07/2010 12/2012
The Department should work with health departments, existing associations, and partner agencies to communicate the changes to a broad base of the regulated community.	Information shared with partners via the website, email, meetings, and conferences	On-going

**TO ASSIST POLICY MAKERS IN MAKING INFORMED DECISIONS ON CHILD CARE MATTERS**

<b>Key Tasks</b>	<b>Action</b>	<b>Completion Date</b>
The (Child Care Systems Improvement) BEST Team continues to be available to the Department, the legislature and the child care community to provide leadership, expertise and recommendations for improvements to better meet the child care needs of children and families in the 21st century.	KDHE convenes the team as work and priorities necessitate	On-going

**CHILD CARE LICENSING SYSTEMS IMPROVEMENT TEAM**  
**2010 RECOMMENDATIONS**  
**TO THE SECRETARY OF THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT**  
**HIGHLIGHT OF MAJOR ACCOMPLISHMENTS**

**TO INCREASE ACCOUNTABILITY AND TRANSPARENCY IN THE INSPECTION PROCESS**

<b>Key Tasks</b>	<b>Action</b>	<b>Completion Date</b>
The Department should fully implement a review process that enables licensees and registrants to request a review of inspection findings at the program level.	Policy implemented; information incorporated in program brochures concerning <a href="#">Initial and Annual Surveys</a> and <a href="#">Complaint Investigations</a> ; distributed to providers and posted on-line	11/2010
The Department should provide written information to providers on their rights and responsibilities and what to expect during a survey or complaint investigation.	<a href="#">Program brochures</a> developed; information distributed to providers and posted on-line	11/2010
The Department should develop and implement a web based application that would enable parents and the public to look up child care information including licensing or registration status, inspection findings, any corrective action taken and any administrative sanctions.	<a href="#">Online Information Dissemination Systems (OIDS)</a> made available to the public to search and view child care facility licensing history and inspection findings	03/2012

**TO INCREASE PROTECTIONS FOR CHILDREN AND TO INCREASE TECHNICAL ASSISTANCE PROVIDED DURING INSPECTIONS**

<b>Key Tasks</b>	<b>Action</b>	<b>Completion Date</b>
The number of inspections for all child care facilities should be increased to at least two times a year to allow more time for consultation and technical assistance.	The Kansas Licensing Indicator System (KLIS) was implemented. KLIS uses statistically significant indicators (regulations) to determine overall compliance, enabling surveyors to spend less time at highly compliant facilities and more time inspecting and providing technical assistance to licensees who require more support with achieving and maintaining	01/2014

	compliance.	
The frequency of additional inspections should be based on risk and should not fall below two inspections every 12 months.	Pursuant to K.S.A. 65-512 facilities are inspected at least once annually, with additional inspections to monitor ongoing compliance or to investigate a complaint. The average number of inspections (initial, annual, compliance & complaints) per facility is 1.52 for centers and 1.32 for homes (Source: KDHE CLARIS inspection data as of 03/31/2014).	

**TO MORE CLOSELY ALIGN SANCTIONS WITH THE NONCOMPLIANCE FOUND AND TO INCREASE PREDICTABILITY AND TRANSPARENCY IN THE ENFORCEMENT OF THE STATUTES AND REGULATIONS**

<b>Key Tasks</b>	<b>Action</b>	<b>Completion Date</b>
The Legislature should give the Department additional statutory flexibility in assessing progressive sanctions to enable the alignment of sanctions with the severity and scope of the non-compliance found.	House Bill 2660 was passed during the 2012 Kansas Legislature which provided the Department greater flexibility to work with a licensee when noncompliance rises to the level of a suspension.	07/2012
The Department should involve the (Child Care Systems Improvement) BEST Team and other child care partners in the development of the protocols for progressive sanctions.	At the request of the Secretary the Team reviewed protocols and provided in-put May-Sept 2012	09/2012
The Department should make public the system of progressive sanctions so that child care providers, parents and the public know under what conditions a sanction would be assessed and what it means.	Information available on the CCL website <a href="http://www.kdheks.gov/bcclr/download/CCL_Enforcement_Program.pdf">http://www.kdheks.gov/bcclr/download/CCL_Enforcement_Program.pdf</a>	03/2012
The Department should make public written information on the administrative appeal process that includes how to appeal an administrative order and possible dispositions.	Information included in the Administrative Order; additional information available on the Office of Administrative Hearings <a href="http://oah.ks.gov/faqs-other.htm">http://oah.ks.gov/faqs-other.htm</a>	09/2012

**TO INCREASE EFFICIENCIES IN THE LICENSING AND REGISTRATION PROGRAM**

Key Tasks	Action	Completion Date
The Department should develop, implement and maintain a series of on line processes that include enabling child care providers to access and update their own facility information, submit applications and application renewals, submit persons for background checks and check the status, add information, track qualifications, training and education and other functionality.	The <a href="#">Online Child Care Licensing Application</a> portion of the Early Child Care and Early Education Portal [Customer and Provider Portal (CAPP)] was launched 3/2013.	3/2013
The Department should automate the inspection process to enable the surveyor to download and upload information from the central database, enter the inspection findings at the time of the inspection and print out the findings to give to the licensee or registrant.	CLARIS Inspection Module (CIM) goes live (automated inspection) and provides real-time access to CLARIS. Inspection findings are entered into the system; surveyors are able to print or email the NOSF to providers. Findings are made available online through OIDS.	11/2011

**TO ENSURE EFFICIENT, EFFECTIVE AND SUSTAINABLE LICENSING SERVICES ARE PROVIDED STATEWIDE AT THE STATE AND LOCAL LEVEL**

Key Tasks	Action	Completion Date
The Department should ensure the timely, accurate and statewide implementation of the provisions in Lexie's Law.	All provisions of the law were implemented as required.	12/2012